

**Remarks**

**Summary of Office Action**

Claims 63-86 are pending in this application.

Claims 63-68 are rejected under 35 U.S.C. § 101 as allegedly not falling within one of the four statutory categories of invention.

Claims 63, 64, 66-72 and 74-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz et al. U.S. Patent No. 5,351,075 (hereinafter, "Herz") in view of Williams et al. U.S. Patent No. 5,945,988 (hereinafter, "Williams").

Claims 65 and 73 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Williams, and further in view of Menard et al. U.S. Patent No. 6,061,056 (hereinafter, "Menard").

Claims 63, 64, 67-72, 75-78, 80-83, 85 and 86 were alternatively rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Schein et al. U.S. Patent No. 6,133,909.

Claims 65, 66, 73, 74, 79 and 84 were alternatively rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Schein and further in view of Menard.

**Summary of Applicants' Reply**

Applicants have amended independent claims 63, 69, 77 and 82 to more particularly define the invention. No new matter has been added and the amendments are fully supported by the originally-filed specification. For example, support may be found at least on page 23, lines 10-15, and page 29, line 17-page 30, line 3 of applicants' originally filed specification.

Reconsideration of this application in light of the following remarks is hereby respectfully requested.

Applicants' Reply to the 35 U.S.C. § 101 Rejection

Claims 63-68 are rejected under 35 U.S.C. § 101 as allegedly not falling within one of the four statutory categories of invention. The Examiner asserts that the claimed method comprising displaying "is broad enough that the claim could be completely performed mentally, verbally or without a machine nor is any transformation apparent." Office Action, page 3.

Applicants have amended independent claim 63 to recite, *inter alia*, "displaying, on user television equipment...." Therefore, applicants respectfully request that the 35 U.S.C. § 101 rejection now be withdrawn.

Applicants' Reply to the Prior Art Rejections

Claims 63, 64, 66-72 and 74-86 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herz in view of Williams. Claims 65 and 73 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Williams, and further in view of Menard.

Herz relates to a home video club television broadcasting system in which members of the club phone in or write in their video program choices. The received viewer choices are tabulated so that the most popular video programs may be broadcast more regularly. Herz, Abstract.

The Examiner concedes that "Herz is silent about displaying a program-specific availability notification to the user indicating the availability of the program corresponding

to the selected program title in response to the listing of the program corresponding to the selected program title in the current program listing time frame," as recited by previously presented independent claims 63, 69, 77 and 82. Office Action, page 4.

However, the Examiner contends that Williams makes up for this deficiency in Herz because Williams discloses "displaying a list of program suggestions to user with the found information by searching updated programming information indicating the availability of the program corresponding to selected program title...." Office Action, page 5.

Williams discloses that given a user search request, "system controller searches the programming information each time it receives updated programming information" and "prompts the user with the found program information." Williams, column 11, lines 38-44. However Williams does not teach or suggest "providing the user with an opportunity, on the user television equipment, to select a type of notification in response to user selection of the program title; and providing, on the user television equipment, a program-specific availability notification corresponding to the selected type of notification to the user indicating the availability of the program corresponding to the selected program title in response to the listing of the program corresponding to the selected program title in the current program listings time frame," as recited in amended independent claims 63, 69, 77 and 82.

Claims 63, 64, 67-72, 75-78, 80-83, 85 and 86 were alternatively rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Schein.

Claims 65, 66, 73, 74, 79 and 84 were alternatively rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz in view of Schein and further in view of Menard.

The Examiner contends that Schein makes up for Herz's deficiencies as discussed above. However, applicants respectfully submit that Herz and Schein, taken either alone in combination, fail to teach or suggest "providing the user with an opportunity, on the user television equipment, to select a type of notification in response to user selection of the program title; and providing, on the user television equipment, a program-specific availability notification corresponding to the selected type of notification to the user indicating the availability of the program corresponding to the selected program title in response to the listing of the program corresponding to the selected program title in the current program listings time frame," as recited in amended independent claims 63, 69, 77 and 82.

Accordingly, applicants respectfully submit that independent claims 63, 69, 77, and 82, and dependent claims 64-68, 70-76, 78-81, and 83-86, which depend respectively from independent claims 63, 69, 77, and 82, are allowable over the art of record. For at least this reason, applicants respectfully request that the § 103 rejections of claims 63-86 be withdrawn.

Conclusion

For at least the reasons set forth above, applicants respectfully submit that this application is in condition for allowance. Reconsideration of claims 63-86 in light of the foregoing remarks is respectfully requested.

Respectfully submitted,

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